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April 13, 2023

VIA CM/ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

***Re: Avi & Co NY Corp v. ChannelAdvisor Corporation,
No. 1:22-cv-10599-PAE (S.D.N.Y.)***

Dear Judge Engelmayer:

This firm represents defendant ChannelAdvisor Corporation (“ChannelAdvisor”) in the above-referenced matter. Pursuant to Rule of Civil Procedure 6(b), Local Civil Rule 7.1(d), and Rule 1.E. of your Individual Rules of Practice in Civil Cases, ChannelAdvisor respectfully requests a seven (7) day extension of time within which to file a reply memorandum of law in support of its motion to dismiss. (Dkt. 17)

ChannelAdvisor filed its motion to dismiss and a motion to transfer venue on 2 March 2023 within the time allowed by the Court’s Order granting the parties’ requested schedule for filing a complaint and preliminary motions. (Dkt. 11, 13, 17) On 6 April 2023, Plaintiff filed a single memorandum of law in opposition to both the motion to dismiss and motion to transfer venue. (Dkt. 23) Pursuant to Local Civil Rule 6.1(b), reply memoranda of law are due on 13 April 2023 absent an extension of time.

ChannelAdvisor already filed a reply memorandum of law in support of its motion to transfer venue. (Dkt. 25) However, due to other professional commitments, counsel requires additional time to complete ChannelAdvisor’s reply memorandum on the motion to dismiss and requests an additional seven (7) days, through and including 20 April 2023, to file that reply memorandum. ChannelAdvisor has not previously requested an extension of time of this deadline.

Plaintiff does not consent to this request, citing the position that ChannelAdvisor took with regard to Plaintiff’s motion to extend the time to respond to the motion to transfer (which ChannelAdvisor did not oppose but did not consent). (Dkt. 21, 22)

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Accordingly, ChannelAdvisor respectfully requests that the Court enter an Order which extends ChannelAdvisor's time to file a reply memorandum of law in support of its motion to dismiss by seven (7) days, through and including 20 April 2023.

Thank you in advance for your consideration of this matter.

Very Truly Yours,

MORNINGSTAR LAW GROUP

/s/ Jeffrey L. Roether

Jeffrey L. Roether

cc: Emanuel Kataev, Esq.